

The introduction to each section will show whether it is an existing regulation being amended, an existing regulation being repealed and readopted, or a new regulation.

In amendments to existing regulations:

Underlined language is new.

[UPPERCASE LANGUAGE WITHIN BRACKETS IS DELETED]

A proposed new regulation or replacement of an existing regulation will not be underlined.

The editor's note following 20 AAC 15.140 is changed to read:

Editor's note: The Alaska Commission on Postsecondary Education's web page may be reached at www.acpe.alaska.gov [WWW.STATE.AK.US/ACPE].

As of Register 172 (January 2005), and acting under AS 44.62.125(b)(6) and sec. 34, ch. 63, SLA 2004, the regulations attorney made technical changes to reflect the name change of the Alaska advantage loan program to the AlaskAdvantage loan program made by secs. 10, 13, and 28, ch. 63, SLA 2004.

20 AAC 15.915(e) is amended to read:

(e) A request for a hearing on the commission's authority to seize a defaulted borrower's permanent fund dividend shall be accompanied by a \$25 fee to cover costs of retrieval and duplication of the borrower's file, mailing of duplicated documents, and research of the borrower's payment history. This fee shall be waived if a borrower documents that the borrower's total income from all sources falls below the federal poverty guidelines for the borrower's family size. To request a waiver of fee under this subsection, the borrower must submit a request on a form or in a format provided by the commission and include with the request a copy of the borrower's federal income tax return for the past year. The commission will refund a fee paid under this subsection not later than 30 days after receipt of a decision by a

court or administrative agency that the seizure was not allowed under AS 14.43.145(a)(2) and 20 AAC 15.970(e)(3). In this subsection, “federal poverty guidelines” means the United States Department of Health and Human Services poverty guidelines for this state established in **78 Fed. Reg. 5182 – 5183, revised as of January 24, 2013** [77 FED. REG. 4034 – 4035, REVISED AS OF JANUARY 26, 2012], and adopted by reference. (Eff. 6/23/95, Register 134; am 1/30/2003, Register 165; am 12/31/2005, Register 176; am 6/7/2007, Register 182; am 10/18/2007, Register 184; am 7/12/2008, Register 187; am 8/19/2009, Register 191; am 5/26/2011, Register 198; am 11/16/2012, Register 204; am __/__/____, Register ____)

Authority:	AS 14.43.100	AS 14.43.320	AS 14.43.640
	AS 14.43.105	AS 14.43.630	AS 14.43.740

20 AAC 16.034 is amended by adding a new subsection to read:

(f) Under AS 14.43.915(d), the commission will annually reserve money for grant awards to graduates from qualifying Alaska high schools. Grant applicants must indicate eligibility for reserved grant awards no later than June 30th of the first award year in which the applicant applies for a grant from the reserved money. After July 1 of each year, any amount of reserved money remaining after grant awards have been made to all eligible applicants will be made available for grant awards to otherwise eligible applicants who do not indicate eligibility for a grant award from the reserved money.

(Eff. 2/20/2005, Register 173; am 12/28/2008, Register 188; am 6/24/2012, Register 202; am 4/4/2013, Register 206; am __/__/____, Register ____)

Authority:	AS 14.43.405	AS 14.43.410	<u>AS.14.43.915</u>
	AS 14.43.406	AS 14.43.415	

20 AAC 16.235(h) is amended to read:

(h) For purposes of AS 14.43.830(1) and (2), a postsecondary education institution is physically located in the state if the campus, teachers, classrooms, school administrators, and equipment used to provide the education to students are physically present in the state. Use of electronic materials by teachers in the state does not disqualify a postsecondary institution even if the materials are generated outside the state. However, a [CORRESPONDENCE OR] distance-delivered program that is administered from outside the state is not physically located in the state even if the program is delivered by teachers or equipment in the state. (Eff. 1/1/2011, Register 196; am __/__/__, Register ____)

Authority: AS 14.42.030 AS 14.43.825 AS 14.43.840
AS 14.43.810 AS 14.43.830

20 AAC 17.015(a)(4) is amended to read:

(4) a short course of study that is no more than 80 hours **or** [AND] 10 days in duration, including all required class, laboratory, externship, and independent study hours;

20 AAC 17.015(a)(5) is amended to read:

(5) a nationally or regionally accredited program offered within the state by an out-of-state institution that is authorized to operate by the state in which it is located, **and which provides documentation from the home state authorizing body that the authorization extends to the Alaska campus and Alaska students, including investigation of complaints relative to violations of authorization, student refunds and consumer protection in the event of an institution or branch closure;**

20 AAC 17.015 is amended by adding a new subsection to read:

(i) Upon written application to the commission documenting that the applicant qualifies under this subsection, the commission staff shall exempt from 20 AAC 17.205 – 20 AAC 17.250 an institution that

(1) is regionally or nationally accredited, and

(2) is a branch campus of an out-of-state institution that is authorized to operate in its home state. (Eff. 12/30/77, Register 64; am 8/20/86, Register 99; am 1/30/87, Register 101; am 9/15/88, Register 107; am 3/25/90, Register 113; am 5/4/90, Register 114; am 10/11/95, Register 136; am 4/24/98, Register 146; am 4/20/2000, Register 154; am 4/27/2001, Register 158; am 3/1/2002, Register 161; am 12/31/2005, Register 176; am 10/18/2007, Register 184; am 12/29/2010, Register 196; am 10/3/2011, Register 200; am __/__/____, Register ____)

Authority: AS 14.42.030 AS 14.48.030 AS 14.48.210
AS 14.48.020 AS 14.48.050

20 AAC 17.060(a)(2) is amended to read:

(2) an institution that offers postsecondary education for which credit is awarded shall meet the [FOLLOWING MINIMUM] criteria for clock hour to credit hour conversion specified **in 34 CFR 600.2 and 668.8(k).**[:

(A) SEMESTER CREDIT HOURS;

(I) ONE SEMESTER CREDIT HOUR FOR EACH 15 HOURS OF CLASSROOM CONTACT, PLUS 30 HOURS OF OUTSIDE PREPARATION OR THE EQUIVALENT; OR

(II) ONE SEMESTER CREDIT HOUR FOR EACH 30 HOURS OF
LABORATORY WORK, PLUS NECESSARY OUTSIDE PREPARATION; OR

(III) ONE SEMESTER CREDIT HOUR FOR NOT FEWER THAN 45 HOURS
OF AN EXTERNSHIP, SHOP INSTRUCTION, OR THE EQUIVALENT;

(B) QUARTER CREDIT HOURS;

(I) ONE QUARTER CREDIT HOUR FOR EACH 10 HOURS OF
CLASSROOM CONTACT, PLUS 20 HOURS OF OUTSIDE PREPARATION OR
THE EQUIVALENT; OR

(II) ONE QUARTER CREDIT HOUR FOR EACH 20 HOURS OF
LABORATORY WORK, PLUS NECESSARY OUTSIDE PREPARATION; OR

(III) ONE QUARTER CREDIT HOUR FOR NOT FEWER THAN 30 HOURS
OF AN EXTERNSHIP, SHOP INSTRUCTION, OR THE EQUIVALENT;]

(Eff. 12/30/77, Register 64; am 5/10/78, Register 66; am 3/15/85, Register 93; am 8/20/86,
Register 99; am 1/30/87, Register 101; am 3/25/90, Register 113; am 5/4/90, Register 114; am
10/11/95, Register 136; am 6/13/97, Register 142; am 4/24/98, Register 146; am 4/20/2000,
Register 154; am 4/27/2001, Register 158; am 12/29/2010, Register 196; am 06/24/2012,
Register 202; am __/__/____, Register ____)

Authority: AS 14.48.050 AS 14.48.060 AS 14.48.070

20 AAC 17.070(d) is amended to read:

(d) A postsecondary educational institution that conducts its instruction or otherwise
offers a program **substantially by** [WHOLLY BY CORRESPONDENCE OR] distance
education must make a clear and conspicuous disclosure in immediate conjunction with its

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trade, business, or program name that it is a [CORRESPONDENCE OR] distance education school or program. **For purposes of this section, a program is substantially offered by**

distance education if greater than 20 percent of the clock or credit hours are delivered by distance education.

(Eff. 12/30/77, Register 64; am 3/25/90, Register 113; am 5/4/90, Register 114; am 10/11/95, Register 136; am 4/24/98, Register 146; am 3/1/2002, Register 161; am 12/29/2010, Register 196; am 10/3/2011, Register 200; am __/__/____, Register ____)

Authority: AS 14.42.030 AS 14.48.050 AS 14.48.060

20 AAC 17.900(a)(12) is amended to read:

(12) “physical presence” means the presence of a facility, [EQUIPMENT,] faculty, or staff within the state. **Faculty and staff do not include site supervisors or mentors for local internships or practica, or adjunct personnel.**

(Eff. 12/30/77, Register 64; am 5/10/78, Register 66; am 3/15/85, Register 93; am 5/8/88, Register 106; am 9/30/90, Register 115; am 11/5/92, Register 124; am 4/24/98, Register 146; am 4/20/2000, Register 154; am 4/27/2001, Register 158; am 12/31/2005, Register 176; am 12/29/2010, Register 196; am 10/3/2011, Register 200; am __/__/____, Register ____)

Authority: AS 14.48.050